

PATENT
09/899,453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Group Art Unit: 1751
: Examiner:T. V. Nguyen
Gerald F. McBrearty et al. : Confirmation No. 4097
Serial No: 09/899,453 :
Filed: 07/05/2001 : Customer No. 32,329
Title: CONDUCTING A :
PRELIMINARY WORLD WIDE WEB :
SEARCH FOR ATTRIBUTES OF A :
PRODUCT THROUGH PREDETERMINED :
DATABASE SEARCH QUERIES TO :
PREDETERMINED DATABASE WEB :
SITES TO PROVIDE A PURCHASE :
PROFILE OF THE PRODUCT :
OFFERED FOR SALE BY A WEB :
PAGE :
Date: 12/16/08 :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REPLY BRIEF ON APPEAL

This is a Reply Brief to the Examiner's Answer mailed
October 16, 2008.

In the Answer, the Examiner makes some new points which
Appellants need to address.

The Rejection of Claims 19 and 20 under 35 USC 112, 2nd Paragraph.

Examiner is respectfully requested to enter the accompanying Amendment after Appeal which changes the wording of claim 19 to provide the proper antecedent.

Attached hereto is a Corrected Section VIII. Claims Appendix for substitution in Appellants' Brief on Appeal if the Amendment is entered.

The Rejection of Claims 1, 3-5, 7, 9-11, 13, 15-17, and 19-20 under 35 U.S.C. 103(a) as being Unpatentable over Ng (US6,405,175)

In the Brief on Appeal, Appellants argued that Ng failed to disclose the following claimed elements:

means for storing at said receiving station, a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product; and

means responsive to a selection of a product for automatically sending these search queries to said Web database sites to thereby provide a purchase profile of the product.

On page 10 of the Answer with respect to these elements, Examiner argues that Ng does store such a set of predetermined search queries but the only difference is that Ng store such queries at a server for the receiving station instead of at the receiving station itself. Appellants fail to find such a teaching in Ng wherein such a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product even at a server for a receiving display station.

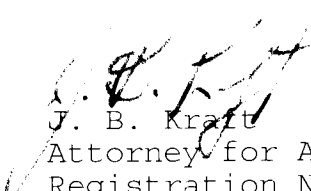
On this point, Examiner appears to be arguing that there is a disclosure in Ng at col 15, lines 61-63 that a shopping scout Web browser may be optimized for each case. From this very general statement, Examiner concludes that it would be obvious for the browser to be set up to control the storage of a predetermined set of search queries which in turn would be automatically sent out in response to a purchaser selecting a product.

Appellants submit that the claimed invention is not obvious from this general teaching in Ng. The Ng system provides a system for soliciting information on new products from purchasers of these products. The Ng system rewards such purchasers when they make such entries. This entered information is stored and available to others who may search for product information. However, these subsequent searches for product information by interested parties appear to be conventional searches for product information. There is no suggestion in Ng's product information searches of storing a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product, or for automatically sending these predetermined search queries to Web database sites to obtain an attribute profile of the purchaser selected product.

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Accordingly, for the reasons set forth above and for the reasons set forth in the Brief on Appeal, the Board of Appeals is respectfully requested to reverse the Final Rejection under 35 USC 103(a), and find claims 1, 3-5, 7, 9-11, 13, 15-17, and 19-20 in condition for allowance.

Respectfully submitted,

 12/16/08
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VIII. Claims Appendix (Corrected)

1 1. In a World Wide Web (Web) communication network with
2 user access through a plurality of data processor controlled
3 user interactive receiving display stations, a system for
4 buying products offered from Web sites comprising:
5 means at a receiving display station for displaying a
6 Web page accessed from a Web site;
7 means for selecting a product offered for sale from
8 said Web page;
9 means for storing at said receiving station, a set of
10 predetermined search queries respectively to each of a set
11 of Web database sites for data related to attributes of a
12 selected product; and
13 means responsive to a selection of a product for
14 automatically sending said search queries to said Web
15 database sites wherein a purchase profile of the product is
16 provided.

1 3. The Web system for buying products of claim 1 wherein
2 one of said search queries is sent to a database Web site
3 providing data on the quality of the Web sites offering
4 products.

1 4. The Web system for buying products of claim 1 wherein
2 one of said search queries is sent to a database Web site
3 providing data on the quality of the selected product.

1 5. The Web system for buying products of claim 1 wherein
2 one of said search queries is sent to a database Web site
3 providing data on the comparative price of the selected
4 product at a plurality of Web sites offering the product.

1 7. In a Web communication network with user access through
2 a plurality of data processor controlled user interactive
3 receiving display stations, a method for buying products
4 offered from a plurality of Web sites comprising:
5 displaying a Web page accessed from a Web site at a
6 receiving display station;
7 selecting a product offered for sale from said Web
8 page;
9 storing at said receiving station, a set of
10 predetermined search queries respectively to each of a set
11 of Web database sites for data related to attributes of a
12 selected product; and
13 automatically sending said search queries to said Web
14 database sites responsive to a selection of a product
15 wherein a purchase profile of the product is formed.

1 9. The method for buying products of claim 7 wherein one of
2 said search queries is sent to a database Web site providing
3 data on the quality of the Web sites offering products.

1 10. The method for buying products of claim 7 wherein one
2 of said search queries is sent to a database Web site
3 providing data on the quality of the selected product.

1 11. The method for buying products of claim 7 wherein one
2 of said search queries is sent to a database Web site
3 providing data on the comparative price of the selected
4 product at a plurality of Web sites offering the product.

1 13. A computer program having code recorded on a computer
2 readable medium for buying products offered from a plurality
3 of Web sites in a Web communication network with user access
4 via a plurality of data processor controlled interactive
5 receiving display stations, said program comprising:

6 means at a receiving display station for displaying a
7 Web page accessed from a Web site;

8 means for selecting a product offered for sale from
9 said Web page;

10 means for storing at said receiving station, a set of
11 predetermined search queries respectively to each of a set
12 of Web database sites for data related to attributes of a
13 selected product; and

14 means responsive to a selection of a product for
15 automatically sending said search queries to said Web
16 database sites wherein a purchase profile of the product is
17 formed.

1 15. The computer program of claim 13 wherein one of said
2 search queries is sent to a database Web site providing data
3 on the quality of the Web sites offering products.

1 16. The computer program of claim 13 wherein one of said
2 search queries is sent to a database Web site providing data
3 on the quality of the selected product.

1 17. (original) The computer program of claim 13 wherein one
2 of said search queries is sent to a database Web site
3 providing data on the comparative price of the selected
4 product at a plurality of Web sites offering the product.

1 19. The computer*~~p936Xprog~~claim 13 wherein said computer
2 program further includes a plug-in program including:

3 said means for storing a set of predetermined search
4 queries respectively to each of a set of Web database sites
5 for data related to attributes of a selected product; and

6 said means responsive to a selection of a product for
7 automatically sending said search queries to said Web
8 database sites.

1 20. The computer program of claim 19 further including:

2 means for adding or deleting predetermined search
3 queries to said set of queries; and

4 means for adding or deleting Web database sites to said
5 set of Web database sites.